

Entered - 08/01/02 - sb  
CL02L0508 - DIANNE C. MITCHELL

CLAIM OF: **ARLINE B. LUMPKIN**  
2299 Montview Drive  
Atlanta, Georgia 30305

**02-*R*-1931**

COUNCIL

NOV 18 2002

ADOPTED BY

For damages alleged to have been sustained as a result of a sewer back up on May 11, 2002 at 2299 Montview Drive.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ARLINE B. LUMPKIN** the sum of **\$1,744.62** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a sewer back up on May 11, 2002 at 2299 Montview Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

**CERTIFIED**

NOV 18 2002

*Rhonda Daphine Johnson*  
MUNICIPAL CLERK

*Rosalind Rubens Newell*

ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

## FAVORABLE REPORT

COMM: *Public Safety*

DATE: *11/12/02*

CHAIR: *[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

**APPROVED**

NOV 27 2002

WITHOUT SIGNATURE  
BY OPERATION OF LAW



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

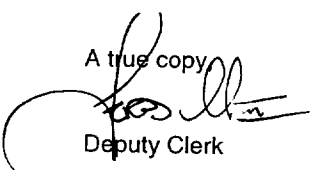
**02-R-1931**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Arline B. Lumpkin** in the sum of **\$1,744.62** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a sewer back up on May 11, 2002 at 2299 Montview Drive as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy

  
Deputy Clerk

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

NOV 18, 2002

NOV 27, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0508

Date: October 31, 2002

Claimant /Victim ARLINE B. LUMPKIN

BY: (Atty)(Ins. Co.)

Address: 2299 Montview Drive, Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 1,744.62 Bodily Injury \$

Date of Notice: 06/26/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 05/11/02 Place: 2299 Montview Drive

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant's property was damaged due to a sewer back up. The City had notice of a problem with the sewer line prior to the date of this incident.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,744.62 Adverse Account charged: 1A01 2J01 X 2H01 2P01

Claims Manager:  Concur/date 10-31-02

Committee Action: Council Action

RCS# 4225  
11/18/02  
2:59 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-9; Except 02-R-1982; 02-O-1882;

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**11/18/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-1774
2. 02-O-1972
3. 02-O-1297
4. 02-O-1859
5. 02-O-1860
6. 02-O-1861
7. 02-O-1974
8. 02-O-1979
9. 02-O-1902
10. 02-O-1962
11. 02-O-1971
12. 02-O-1863
13. 02-O-1864
14. 02-R-1924
15. 02-R-1952
16. 02-R-1966
17. 02-R-1996
18. 02-R-2000
19. 02-R-1951
20. 02-R-1954
21. 02-R-1978
22. 02-R-1983
23. 02-R-1984
24. 02-R-1856
25. 02-R-1931
26. 02-R-1932
27. 02-R-1933
28. 02-R-1934
29. 02-R-1935
30. 02-R-1936

**ITEMS ADVERSED  
ON CONSENT AGENDA**

31. 02-R-1937
32. 02-R-1938
33. 02-R-1939
34. 02-R-1940
35. 02-R-1941
36. 02-R-1942
37. 02-R-1943
38. 02-R-1944
39. 02-R-1945
40. 02-R-1946
41. 02-R-1947
42. 02-R-1948
43. 02-R-1949
44. 02-R-1950

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Consent I Vote: 13 Yeas; 0 Nays (See RCS #4225)  
Items Removed from Consent: 02-R-1982; 02-R-1882